



King County Board of Ethics
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KING COUNTY BOARD OF ETHICS MEETING NOTICE

When: Tuesday, February 22, 2000, at 4:30 p.m.

Where: Bank of California Building
900 Fourth Avenue, 4th Avenue and Marion Street, Seattle
5th floor conference room (southwest corner of the building)

PLEASE NOTE CHANGE FROM USUAL MEETING LOCATION

AGENDA

1. ***Approval of Agenda***
2. ***Approval of Meeting Minutes of December 10 and December 20, 1999***
3. ***Board of Ethics 2000 Meeting Schedule.*** Adopt schedule.
4. ***2000 Financial Disclosure Program Status Report.*** Ruth Ibarra, Coordinator.
5. ***Procedures for Meetings of the King County Board of Ethics.*** Approve notice and draft procedures for amending meeting location and adding clarifying provisions.
6. ***Rules Relating to Filing Statements of Financial and Other Interests.*** Consider comments on Rules; make changes as appropriate; adopt regular Rules.
7. ***Board Appointments***
8. ***Staff Report***
 - Order of the Board
 - Consultant Disclosure Ordinance 13710
 - Request for advisory opinion. Information only.

cc: Ron Sims, King County Executive
King County Councilmembers
Duncan Fowler, Director–Ombudsman, Office of Citizen Complaints
Sheryl V. Whitney, Director, DIAS
James J. Buck, Deputy Director, DIAS
Carl A. Johansen, Senior Deputy Prosecuting Attorney
Mike Alvine, Council Legislative Analyst
John Chelminiak, Council Chief of Staff
Tim Hatley, Executive Policy Advisor
Jeanne Keenan, Council Legislative Aide
Kristine Ottaway, Council Legislative Aide
Jeff Slayton, Council Associate Legal Counsel

Upon advance request, reasonable accommodations for people with disabilities are available by calling (206) 296-1586 or TTY 1-800-833-6388.

**Minutes of the February 22, 2000 Meeting
of the King County Board of Ethics**

The February 22, 2000, meeting of the King County Board of Ethics was called to order by Chair Price Spratlen at 4:32 p.m. Board members in attendance were:

Lois Price Spratlen, Ph.D., Chair
Mr. Roland H. Carlson
Lembhard G. Howell, Esq. (arriving at 5:05 p.m.)
Rev. Paul F. Pruitt
Margaret T. Gordon, Ph.D., had an excused absence

Others in attendance:

Ms. Catherine A. Clemens, Administrator, King County Board of Ethics
Ms. Ruth Ibarra, Financial Disclosure Coordinator (leaving at 4:46 p.m.)
Mr. Carl A. Johansen, Senior Deputy Prosecuting Attorney

1. *Proposed Agenda.* Chair Price Spratlen requested three agenda items be tabled until the next meeting during which there would be a full complement of members. The items included enforcement of financial disclosure requirement; appeal hearing process and code enforcement responsibilities; and review of provisions of the code of ethics. Ms. Clemens requested the addition on one item to the staff report. With those changes, Rev. Pruitt moved the approval of the proposed agenda; Mr. Carlson seconded the motion and the agenda was approved.

Chair Price Spratlen invited people to introduce them selves. Ms. Ibarra stated she is a second year student at Seattle University studying public administration. Ms. Clemens noted that during her recent two-week absence, Ms. Ibarra maintained the ethics office efficiently and effectively, keeping the office open and referring ethics related matters to the correct county departments. Ms. Clemens and the Board expressed their appreciation for that high level of support.

2. *Approval of Meeting Minutes of December 10 and December 20, 1999.* Rev. Pruitt moved to approve the December 10, 1999, meeting minutes; Mr. Carlson seconded the motion, and the minutes were approved. Rev. Pruitt moved to approve the December 20, 1999, meeting minutes; Mr. Carlson seconded the motion, and the minutes were approved.

Chair Price Spratlen noted that approval of meeting minutes is simply approval of the record, and that the Board should address issues raised by Dr. Gordon and noted on page 2 of the December 20, 1999, meeting minutes.

3. *Setting the Board of Ethics 2000 Meeting Schedule.* The Board reviewed the 2000 meeting schedule that had been tentatively approved at the December 20, 1999, meeting. The Board discussed May 15th as a possible annual reception date to be held at noon to encourage attendance. Ms. Clemens was directed to investigate the use of county funds for the reception and to confirm if the day and time of day were optimal for attendance.

4. *2000 Financial Disclosure Program Status Report.* Ms. Ibarra briefed the Board on the status of the 2000 financial disclosure program. Goals this year included clear and timely communication with county leadership and designated coordinators; training and education; and a high compliance rate by April 15. To date, the ethics office has communicated on time with directors and coordinators regarding the program and its requirements and has conducted four training sessions in January attended by fifty-eight (58) coordinators. Coordinators met the February 15 deadline for rosters of affected employees and board and commission members. Next steps include compliance reports on March 2 and March 30. Chair Price Spratlen expressed the Board's appreciation to Ms. Ibarra, Ms. Clemens and Mr. Johansen for the progress and success of this program.

5. *Procedures for Meetings of the King County Board of Ethics.* Ms. Clemens briefed the Board on the schedule for amending procedures for Board meetings. After review and discussion, Mr. Carlson moved that the draft amended procedures for meetings of the King County Board of Ethics be approved; Rev. Pruitt seconded the motion and the draft procedures were approved. Chair Price Spratlen commented that the cost of parking in the Bank of California Building may be a deterrent to attending meetings and we may wish to give attention to alternative parking locations. The Board then reviewed the time, place and manner of receiving public comment; Rev. Pruitt moved the time, place and manner of receiving public comment be approved; Mr. Carlson seconded the motion and the time, place and manner of receiving public comment was approved. Finally, the Board reviewed the notice for public comment; Rev. Pruitt moved that the notice be approved; Mr. Carlson seconded the motion and the notice was approved. The Board directed Ms. Clemens to file the notice on the next business day with the Clerk of the Council and proceed with the public comment period.

6. *Rules Relating to Filing Statements of Financial and Other Interests.* Ms. Clemens briefed the Board. They reviewed the new emergency rules, written to prevent a time gap in rules coverage; Mr. Carlson moved the new emergency rules be adopted; Mr. Howell seconded the motion and the emergency rules were unanimously adopted. The Board then considered the comments from interested parties to the regular rules. After review and discussion of public comments, Mr. Carlson moved to adopt the Rules Relating to Filing Statements of Financial and Other Interests; Rev. Pruitt seconded the motion and the motion was approved. The Board directed Ms. Clemens to file the re-adopted emergency rules and the adopted regular rules with the Clerk of the Council on the next business day. The Board also asked Ms. Clemens to communicate with county employee Mr. Steve Foley regarding his comments on the proposed rules, including an inquiry whether or not he had seen the new disclosure form prior to making his comments.

7. *Board Appointments.* Chair Price Spratlen briefed the Board on her recent meeting with the new Council Chair Pete von Reichbauer. Together with Mr. Howell, they met on February 23, 2000, at 10:30 a.m., in the King County Courthouse. Chair Price Spratlen and Mr. Howell expressed their concerns regarding the slow progress of Board appointments and their wish to establish regular meetings to keep Councilmember von Reichbauer

apprised of Board business and activities. They hope to establish regular, quarterly meetings.

Chair Price Spratlen also informed the Board that she has written to the six councilmembers who originally requested an advisory opinion on solicitation for charitable organizations. The intent of the letters is to keep councilmembers informed of the Board's progress. She also wrote to Ms. Sheryl Whitney regarding the Board appreciation of Mr. Buck's attendance at the retreat and his work on behalf of the Board.

Regarding meetings, Chair Price Spratlen stated she wishes to re-establish regular quarterly meetings with the Executive. And prior to the May reception, she would like Board members to identify council members with whom they are willing to meet and then have them establish those meetings with the purpose of sharing information and letting them know what the Board has accomplished. Mr. Howell suggested Board members appear at selected council committee meetings to offer comment. Mr. Carlson stated that communication should be a two-way street, and Board members should try to receive feedback and recommendations from the Council. The Board directed Ms. Clemens to prepare information for the next Board meeting to help Board members identify and contact those councilmembers with whom they plan to meet.

Chair Price Spratlen noted that her reappointment was approaching. Mr. Carlson moved that the Board direct Ms. Clemens to draft a letter from the Board to the Executive asking him to reappoint Chair Price Spratlen for another three-year term; Mr. Howell seconded the motion and the motion passed unanimously.

Staff Report. Order of the Board. Ms. Clemens briefed the Board on actions taken on their behalf since the Appeal of the Ombudsman's Finding and Conclusion on Ethics Complaint 9810-001E. First the Administrator filed the Order of the Board with Records and Elections Division of King County on December 28, 1999, and distributed to all parties involved in the action. Second, the Administrator requested of Mr. Chelminiak of Council staff that the Order be placed in Mr. Schmid's personnel file. Third, upon investigation, the Administrator learned from Records and Elections personnel that all related documents have been identified with the same complaint number and therefore are filed together. However, it was also learned that Records and Elections had returned the original Finding to the Ombudsman upon his request. The Board expressed concern that the document was retrieved. Chair Price Spratlen stated that all documents should remain filed together. Mr. Howell stated that to remove the document was a revisionist approach to the facts. The Board directed the Administrator to inquire if this type of action is standard operating procedure; why the document was removed; and if it possible to reestablish the complete record. Consultant Disclosure Ordinance 13710. Ms. Clemens provided copies of the ordinance relating to disclosure of interests by county consultants passed 13 - 0 by the Council on January 24, 2000, and approved by the Executive on February 3, 2000. Request for Advisory Opinion. Ms. Clemens distributed copies of a letter of request for an advisory opinion from Councilmember Cynthia Sullivan, dated February 15, 2000, and the acknowledge of receipt from the Administrator to Councilmember Sullivan dated February 22, 2000. Ms. Clemens noted that, due to the date of receipt, she would place the item on the next available agenda and that the materials were for information only at this time.

At 6:03 p.m., Rev. Pruitt moved to adjourn the meeting. Mr. Carlson seconded the motion. The motion was approved and the meeting was adjourned.

Approved this ____ day of _____, 2000 by the King County Board of Ethics.

Signed for the
Board: _____

Dr. Lois Price Spratlen, Chair

Dave Regnier, Senior Deputy Prosecuting Attorney